

CITY COUNCIL ORDINANCE COMMITTEE

**THURSDAY, JULY 25, 2019 AT 4:30 P.M.
SECOND FLOOR CONFERENCE ROOM, CITY HALL**

AGENDA

- 1.) Call to Order.
- 2.) Public Comments on Agenda Items.
- 3.) Discussion on Chapter 460 Golf Carts – Public Safety Director Tim Kozal.
- 4.) Discussion on Chapter 674 Safety Sanitation & Health (Open Burning) – Public Safety Director Tim Kozal.
- 5.) Public Comments.
- 6.) Adjourn.

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ORDINANCE 19-19

AN ORDINANCE TO ADD CHAPTER 460 – GOLF CARTS TO THE CITY MANISTEE CODIFIED ORDINANCES AUTHORIZING THE OPERATION OF GOLF CARTS ON CERTAIN CITY STREETS PURSUANT TO MCL 257.657a, TO PROVIDE PENALTIES FOR VIOLATIONS THEREOF, TO REPEAL ALL ORDINANCES IN CONFLICT HERewith AND TO PROVIDE AN EFFECTIVE DATE

THE CITY OF MANISTEE ORDAINS:

Section 1. Chapter 460 is added to read as follows:

Chapter 460 Golf Carts

460.01	Definitions	460.03	Violations and Penalties
460.02	Operation of Golf Carts on City Streets		

CROSS REFERENCES
Michigan Compiled Law 257.657a
Penalty, Civil Infractions – Chapter 202

460.01 DEFINITIONS

Words and phrases used herein shall have the definitions as provided for in MCL 257.657a, as the same may be amended from time to time, which words and phrases are incorporated herein by reference.

460.02 OPERATION OF GOLF CARTS ON CITY STREETS.

A person may operate a golf cart on city streets, subject to the following restrictions:

- A. A person shall not operate a golf cart unless he or she is at least 16 years old and licensed to operate a motor vehicle.
- B. The operator of a golf cart shall comply with the signal requirements of MCL 257.648 that apply to the operation of a vehicle.

- C. A person operating a golf cart upon a city street shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.
- D. A person shall not operate a golf cart on a state trunk line highway. This subsection does not prohibit a person from crossing a state trunk line highway when operating a golf cart on a city street, using the most direct line of crossing.
- E. Where a usable and designated path for golf carts is provided adjacent to a highway or street, a person operating a golf cart shall be required to use that path.
- F. A person operating a golf cart shall not pass between lines of traffic, but may pass on the left of traffic moving in his or her direction in the case of a two-way street or on the left or right of traffic in the case of a one-way street, in an unoccupied lane.
- G. A golf cart shall not be operated on a sidewalk constructed for the use of pedestrians.
- H. A golf cart shall be operated at a speed not to exceed 15 miles per hour and shall not be operated on a highway or street that has a speed limit of more than 30 miles per hour, except to cross that highway or street.
- I. A golf cart shall not be operated on city streets during the time period from one-half (1/2) hour before sunset to one-half (1/2) hour after sunrise.
- J. A person operating a golf cart or who is a passenger in a golf cart is not required to wear a crash helmet.
- K. This ordinance does not apply to a police officer in the performance of his or her official duties.
- L. A golf cart operated on a city street under this ordinance is not required to be registered under the Michigan Vehicle Code for purposes of section 3101 of the insurance code of 1956, 1956 PA 218, MCL 500.3101.
- M. As used in this ordinance, "golf cart" means a vehicle designed for transportation while playing the game of golf. A golf cart is not required to meet the vehicle safety requirements of a low-speed vehicle for approval under this ordinance.
- N. All golf carts intended for street use shall be registered and the owners or operators of those golf carts shall register such golf carts prior to operating the same on any city street. Registration is with the City of Manistee Police Department, at no cost, and each registered golf cart shall receive a registration sticker. The registration sticker must be affixed in plain view on the back of the golf cart at all times it is operated on city streets.

460.03 PENALTY

Violation of any of the provisions of Chapter 460 shall be penalized as a civil infraction under Section 202.99 of the City of Manistee Codified Ordinances.

Section 2. All ordinances and/or parts of ordinances inconsistent with this ordinance are hereby repealed.

Section 3.

Effective Date; Publication.

This Ordinance shall be effective ten (10) days after its enactment as provided in Section 4-3 of the City of Manistee Charter. The City Clerk shall cause a copy of this Ordinance to be published in a newspaper circulated in the city of Manistee, stating the date of the enactment and effective date of the Ordinance, a brief notice as to the subject matter of the Ordinance and such other facts as the City Clerk shall deem pertinent. A copy of the Ordinance shall be made available for public use and inspection at the office of the Manistee City Clerk.

MADE, PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
MANISTEE, MANISTEE COUNTY, MICHIGAN, THIS ____ DAY OF _____,
2019.

ENACTMENT DATE: _____

CERTIFICATION

STATE OF MICHIGAN)
) ss.
COUNTY OF MANISTEE)

I, the undersigned, the duly qualified and acting Clerk of City of Manistee, do hereby certify that the foregoing is a true and complete copy of the Ordinance adopted by the Manistee City Council at a regular meeting held on the ____ day of _____, 2019, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, being Act No. 267, Public Acts of Michigan, 1976, as amended, including in the case of a special or rescheduled meeting notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this ____ day of _____, 2019.

Heather Pefley, City Clerk